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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/803,038

03/18/2004

Tomohiro Mori

119134

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12/11/2007

OLIFF & BERRIDGE, PLC

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EXAMINER

RENDON, CHRISTIAN E

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

12/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/803,038

Applicant(s)

MORI ET AL.

Examiner

Christian E. Rendón

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/30/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 19-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 1, 8, 15 & 16 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling since the limitation "immediately before the first object starts moving" is not supported by the specification. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

Claim Rejections - 35 USC § 101

Claims 19-20 are rejected under 35 U.S.C 101 because the disclosed invention is inoperative and therefore lacks utility. The applicant has failed to disclose if the claimed program is stored in a computer readable storage medium.

Claim Rejections - 35 USC § 103

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Street Fighter Alpha 3 in view of Dichter (US 6,847,364 B1).

1. The two dimensional fighting game *Street Fighter Alpha 3* (SFA3) is the third installment in the Alpha series that introduced a several new characters, a more anime inspired art style, fleshed out more of the character's back story, introduced "Air Combos", "Chain Combos" and expanded on the "Super Combo System" introduced in *Super Turbo* the last iteration of the *Street Fighter 2* (SF2) series. The series SF2 introduced character that can perform several unique or special moves through a sequence of button presses. The "Super Combo System" expanded on this concept by through the use of a "Super Meter" located at the bottom of the screen. Several different methods are offered to a player as a means to fill the meter, performing special moves that land on an opponent is the fastest method. Once the meter reaches the necessary level a player has access to the character's "Super Moves", which are essentially more powered-up special moves for the most part. The game illustrates a "Super Move" as the attacking player moving in a "blue blur" as an indication of

the player's previous locations and the velocity of that movement. This Office Action refers to an image of SFA3 published on Jan. 13, 1999 as evidence of the "blue blur" feature. In the image the character Ken Masters performing the "Shinpuujinrai Kyaku", the super version of the "Tatsumaki Senpuu Kyaku" or Hurricane Kick on the character Dan. Therefore the prior art's "blue blur" discloses the applicant's limitation stated as "effects provided at the side that the first object is going to move from a location" since the Examiner has interpreted that line as an effect that indicates a trail of movement. As well as the judging of when to start a motion that consists of a plurality of effects that shows a respective part of an object in a continuous motion.

2. Regarding claims 1, 7-8, 12 and 15-16, the prior art also discloses an animation of a predetermined viewpoint in a virtual space, however fails to disclose three-dimensional objects. The fifth generation of video game console (1993 – 2002) were powerful enough to render polygons, which begun the transition to fully three dimensional (3D) games. Dichter discloses a method for creating a motion illusion of a 3D object by drawing multiple images of the object and varying its attributes, such as, transparency, color, intensity, reflectivity, fill, texture, size, position and/or depth (Dichter: abstract). In other words, the art discloses how to create a 3D motion blur to indicate the velocity within a trail of movement. Therefore Dichter provides the knowledge one of ordinary skill requires for the evolution of an essential feature, blue blur, of SFA3 into 3D.

3. The motion blur is always performed by the current attacking opponent and never the victim. The applicant's specification demonstrates a victim character performing the motion blur. Therefore the examiner would like to state for the record that the Office will disagree with the argument that a victim character performing a continuous motion places the claims in allowance. The examiner will view this limitation as mere design choice since a new problem has not been solved or technology better than the prior is not required to perform this limitation.

4. Furthermore, the Office would like to clearly state the definition of animation, "the technique of filming a sequence of drawings or positions of models to create an illusion of movement" (Compact Oxford Dictionary, 3rd edition, Oxford University Press, July 2005). Therefore three-dimensional animation occurs through the use of a model and a 'frame' of this animation is "a single complete picture in a series forming a cinema or video film" (Compact Oxford Dictionary, 3rd edition, Oxford University Press, July 2005) or video game.
5. Regarding claims 2-4 and 9-11, the disclosed "blue blur" and the motion illusion that is always located behind the object (Dichter: fig. 3) disappears sequentially as time progresses through a decrease in the object's transparency and color (Dichter: col. 6, lines 52-61).
6. Regarding claims 5-6, both prior arts disclose calculating a plurality of locations where the first object will pass (Dichter: fig. 4; 61, 67-69) that will allow the image to be seen from different viewpoints compared to the predetermined viewpoint.
7. Regarding claims 13-14 and 19-20, the version of SFA3 that is used as prior art was released on a CD-ROM for the Sony PlayStation.
8. Regarding claims 21-24, the prior art of SFA3 discloses displaying the effect objects behind the attacking object. However as stated above the examiner views this limitation as mere design choice since no stated problem is solved by these claims. Furthermore, the applicant once argued these limitations are geared towards representing a "finishing move". The examiner fails to see how new technology or programming techniques are required to fulfill this requirement therefore is not considered a problem.

Conclusion

Other Quality Art: Pearce et al. US 6,211,882 B1

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian E. Rendón whose telephone number is 571-272-3117. The examiner can normally be reached on 9 - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christian E Rendón
Examiner
Art Unit 3714

CER


XUAN M. THAI
SUPERVISORY PATENT EXAMINER